



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenneth S. McElvain

Application No. 09/313,225

Filed: May 17, 1999

For: METHODS AND APPARATUSES FOR  
DESIGNING INTEGRATED CIRCUITS

Examiner: Gene N. Auduong

Art Unit: 2818

Asst. Commissioner for Patents  
Washington, D.C. 20231

# PATENT

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DECLARATION OF PRIOR INVENTION IN THE UNITED STATES TO  
OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. §1.131)

Sir:

My name is Kenneth S. McElvain. I am presently employed by Synplicity, Inc. of Sunnyvale, California, and I am a founder of Synplicity and a current shareholder of Synplicity, which is the assignee of the present invention.

I am the inventor of the above-identified patent application which has been assigned to Synplicity, Inc. The declaration made herein is to establish a completion of the invention in the application in the United States at a date prior to January 30, 1998, which is the filing date of U.S. Patent No. 6,145,117. I hereby declare that I have reviewed the application, including the claims of the application and that my invention was conceived at least by January 30, 1998.

I conceived the claimed invention prior to January 30, 1998. The project involving the invention began at least by October 1997. At least by December 1997, I had assigned at least one person to write and test software which embodied the invention. Continuous diligence, as part of this project, was employed in reducing the claimed invention to practice. At least one person was working, as part of this diligence, on the creation of the software which embodied the

claimed invention prior to January 30, 1998, until the software product was written and tested about May 1998.

My invention is embedded in software referred to as Floorplanner. Exhibit A attached herewith is a portion of a Floorplanner implementation specification, created prior to January 30, 1998. The specification substantially outlined aspects of the invention. Exhibit A demonstrates that I had conceived of the invention prior to January 30, 1998.

Exhibit B attached herewith is computer program listing which shows certain dates relation to software which embodies my invention. The computer programs listed in Exhibit B had been written, fully tested, and working for their intended functionality, by May 1998.

Based on the above description and as is evident from the attached exhibits, the conception of the subject matter described in the present application was prior to January 30, 1998, and there was continuous diligence, in writing and testing the software, from at least just prior to January 30, 1998 until the software was written and tested, for its intended purpose, in about May 1998.

As the below-signed inventor, I, Kenneth S. McElvain, hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made knowing that willful false statements and the like are punishable by fine or imprisonment, or both under §1001 of Title 18 of U.S.C., and such willful or false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: Oct 25, 2001

Kenneth S. McElvain  
Signature

Full Legal Name: Kenneth S. McElvain  
Citizenship: U.S.A.

**FIRST CLASS CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on:

10/29/01

Date of Deposit

Michelle Offenbaker

Name of Person Mailing Correspondence

M. Offenbaker

Signature

10/29/01

Date